

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the
Establishment of a Public Purpose Program
Surcharge Pursuant to Assembly Bill (AB) 1002.

Rulemaking 02-10-001

**ADMINISTRATIVE LAW JUDGE'S RULING EXCUSING SOUTHWEST GAS
CORPORATION FROM PARTICIPATION IN THE RESEARCH AND
DEVELOPMENT PHASE OF THIS PROCEEDING**

This ruling excuses Southwest Gas Corporation (Southwest) from participation in the research and development (R&D) phase of this proceeding.

On April 14, 2003, Southwest filed a motion requesting that it be excused from participating in the R&D phase of this proceeding. Southwest explains that it does not conduct any R&D, and that its customers will best be served if Southwest's participation is limited to monitoring the R&D portion of the proceeding.

No party responded to Southwest's motion.

For the foregoing reasons, Southwest's motion is granted.

However, in granting Southwest's motion, Southwest is put on notice that as stated in the Assigned Commissioner's Ruling, April 22, 2003, public interest R&D projects may be funded by the gas surcharge. Therefore, the R&D phase of the proceeding may impact Southwest, including the gas surcharge rates for Southwest's customers.

Therefore, **IT IS RULED** that Southwest Gas Corporation is excused from participation in the research and development phase of this proceeding.

Dated May 7, 2003, at San Francisco, California.

/s/ BRUCE DEBERRY
Bruce DeBerry
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Excusing Southwest Gas Corporation from Participation in the Research and Development Phase of This Proceeding on all parties of record in this proceeding or their attorneys of record.

Dated May 7, 2003, at San Francisco, California.

/s/ HELEN FRIEDMAN
Helen Friedman

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at

(415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.